

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

FREDDIE LUIS ALICEA RAMOS

DEBTOR

CASE NO 19-02139/EAG

CHAPTER 13

**DEBTORS' MOTION REQUESTING APPOINTMENT OF  
"NEXT FRIEND" or "GUARDIAN AD LITEM"  
PURSUANT TO RULE 1004.1 FRBP**

TO THE HONORABLE COURT:

**NOW COMES, FREDDIE LUIS ALICEA RAMOS**, the Debtor in the above captioned case, through the undersigned attorney, and very respectfully states, prays and requests as follows:

1. On April 17, 2019, the Debtor filed a *Voluntary Petition* under Chapter 13 of the Bankruptcy Code, 11 USC Sections 1301 et seq., in the above captioned case. Alejandro Oliveras Rivera, Esq., is the appointed interim Trustee, in the present case.

2. The Debtor is suffering from several medical conditions, and after the filing of the petition in this case his medical condition has worsen. He is impaired to appear at a 341 meeting and make rational decisions with respect to his financial responsibilities. *In re Sapp*, 2011 Bankr. LEXIX 2843, (USBC ED Mo.)

3. The Debtor's physical and medical condition does not allow him to personally appear at the 341 meeting of creditors scheduled for June 13, 2019 at 1:00pm to be held at the Ochoa Building in San Juan, Puerto Rico.

4. The Debtor respectfully submits that he is physically impaired as to be unable, after reasonable effort, to participate in person or telephone conference at a 341 meeting of creditors. *In re Sapp*, 2011 Bankr. LEXIS 2843, (USBC ED Mo.); *In re Myers*, 350 B.R. 760 (Bankr. N.D. Ohio 2006; Section 109 (h)(4), 11 USC Section 109(h)(4), 11 USC Section 109(h)(4); Rule 1004.1 of the Federal Rules of Bankruptcy Procedure.

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5. The Debtor respectfully requests this Honorable Court to appoint **Mr. Jan Carlos Alicea Morales, Debtor's son as "guardian ad litem"** pursuant to Rule 1004.1 FRBP, and that Mr. Jan Carlos Alicea Morales be allowed to represent the Debtor at the 341 meeting of creditors and in all bankruptcy proceedings, in the above captioned case.

**WHEREFORE**, the Debtors, respectfully requests this Honorable Court grant the present motion and issue an Order appointing **Mr. Jan Carlos Alicea Morales, Debtor's son**, as "next friend" or "guardian ad litem" pursuant to Rule 1004.1 FRBP, and that he be allowed to represent the Debtor at the 341 meeting of creditors and in all bankruptcy proceedings, in the above captioned case.

**NOTICE:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

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**CERTIFICATE OF SERVICE:** I hereby certify that a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of the same to: the US Trustee's Office; the Chapter 13 Trustee Alejandro Oliveras Rivera, Esq., I also certify that a copy of this motion was sent via US Mail to Debtor Freddie Luis Alicea Ramos, C/O Jan Carlos Alicea Morales , HC1 Box 6512, Arroyo PR 00714; and to all creditors and parties in interest as per the attached master address list.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 27<sup>th</sup> day of May, 2019.

/s/Roberto Figueroa Carrasquillo  
USDC #203614  
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Label Matrix for local noticing  
0104-2  
Case 19-02139-EAG13  
District of Puerto Rico  
Ponce  
Mon May 20 09:32:20 AST 2019

US Bankruptcy Court District of PR  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114-0326

End of Label Matrix  
Mailable recipients 15  
Bypassed recipients 0  
Total 15